REMARKS

This Amendment is submitted in response to the final Office Action of December 29, 2006 (hereinafter "the Office Action"). Claims 21-32 remain pending.

All references to the claims, except as noted, will be made with reference to the claims listed above. If there is any confusion or questions regarding any aspect of this Amendment, the Examiner is invited to contact the undersigned.

Amendments

Claim 20 is amended to place it into independent form by incorporating all the limitations of claim 15, from which claim 20 previously depended. Since this Amendment merely places claim 20 in independent form without adding any new limitations that were not previously present, this change does not present any new issues requiring further consideration or search.

Claim 20 has also been amended to correct some minor errors relating to antecedent basis. Specifically, the term, "first string" has been replaced with "XML based string." This error was unfortunately carried forward to claim 27, which was also corrected in a similar manner. In addition, claim 27 was amended to correct "into the second string" to "between the second beginning tag and the second ending tag" which references the correct antecedents. Since the intended antecedents were apparent, no additional search or further consideration is made necessary by this amendment.

Applicants respectfully request entry of this Amendment, from which no new matter is introduced.

Status

Claims 15-20 remain rejected as being unpatentable under 35 U.S.C. § 103(a).

Applicants note with appreciation that claims 21-32 are objected to as being dependent on a rejected base claim but that they would be allowable if rewritten in independent form. Applicants have endeavored to place claims 21-32 in condition for allowance by rewriting claim 21 in independent form.

Claim Rejections

Claims 15-20 remain rejected under 35 U.S.C. § 103(a) for being unpatentable over U.S. Patent 6,658,625 issued to Paul V. Allen, hereinafter referred to as "Allen," in view of U.S. Patent 7,020,797 issued to Narendra Patil, hereinafter referred to as "Patil." Applicants respectfully traverse because the prior art fails to teach or suggest each and every feature set forth in the claims, and because the prior art lacked motivation to combine and/or modify the references as proposed by the Examiner.

Applicants have carefully reviewed the Office Action and remain convinced that the claims should be allowed for the reasons presented in the Amendment submitted September 29, 2006. Applicants will take this opportunity to rebut the "Response to Arguments" presented in the Office Action beginning on page 2.

1. On whether the references teach or suggest each and every feature of the claimed invention:

The Office Action suggests that "Allen teaches the XML reporter object receiving results and Patil teaches the test result generation and the rejection is made in combination from both the references directed to testing data and conversions in an XML environment." Applicants respectfully disagree. Allen does not mention receiving test results, only "data" in a generic sense. There is no suggestion in Allen of creating an XML test results file. The only use Allen has of XML is to store data description information, which is then used in the conversion of data from the one format to the other. Thus, Allen does not teach an XML reporter object, just an application for receiving data from one format and converting it to the second format in accordance with data description information stored in an XML formatted file. Patil does not overcome the deficiencies of Allen. Patil is directed to a distributed test management system wherein tests conducted on remote test computer systems are managed from a local client computer. Each test computer system is provided with a service program that carries out the testing and provides access to information regarding the status of the test to the local client via a GUI (see Abstract, col. 5, lines 31-45). However, the local client of Patil maintains a database containing all the test result logs of the various remote test systems. As explained in col. 10, lines 12-21, an HTML/XML consolidated summary report is only made after all the test jobs are completed. Thus, there is no suggestion of inserting an XML based string into an XML test results file as claimed, merely the generation of an HTML/XML consolidated summary report from the test result logs.

Since neither Allen nor Patil teach inserting an XML based string into an XML test results file, Applicants respectfully submit that claim 15 and the claims depending therefrom are allowable. Reconsideration is respectfully requested.

2.   On whether the prior art lacks motivation to combine Allen and Patil

In the "Response to Arguments," the Office Action reasserts that "Allen and Patil are "references that teach testing data and conversions in an XML environment" (page 3, lines 2-3). Applicants respectfully disagree. Allen is directed to data conversion, not testing. The Office Action additionally suggests that the combination of Allen and Patil is proper because "the testing data of Patil would make the functioning of Allen's system more reliable as there would be no real data lost in case of a system failure because of the use of test data (column 9, lines 7-21, Patil)" (page 3, lines 3-5). This statement is identical to the one on page 4 of the July 3, 2006 Office Action, and yet Applicants remain respectfully unconvinced. As Applicants stated in the previous Amendment, at the indicated portion of Patil, it is only suggested that a specific computer having a problem such as a crash or other failure is removed from a lookup service which assigns tasks to multiple computers. Since Allen is directed to a data conversion task for which only one computer is necessary, it is hard to understand how Patil's fail-over mechanism is relevant.

Since the prior art fails to provide some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings as outlined in the Office Action, Applicants respectfully submit that claim 15 and the claims depending therefrom are allowable. Reconsideration is respectfully requested.

For these reasons and others, Applicants respectfully submit that the rejections made under 35 U.S.C. § 103(a) lack requisite *prima facie* obviousness, and should therefore be withdrawn. Applicants therefore respectfully submit that this application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6933. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit

Account No. 50-0805 (Order No. SUNMP040). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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